

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK**

CONSUMER FINANCIAL PROTECTION  
BUREAU AND THE PEOPLE OF THE  
STATE OF NEW YORK, BY ERIC T.  
SCHNEIDERMAN, ATTORNEY GENERAL  
FOR THE STATE OF NEW YORK,

Plaintiffs,

v.

DOUGLAS MACKINNON, MARK GRAY,  
NORTHERN RESOLUTION GROUP, LLC,  
ENHANCED ACQUISITIONS, LLC,  
AND DELRAY CAPITAL, LLC,

Defendants.

No. 1:16-CV-00880-FPG-HKS

**NOTICE OF MOTION TO COMPEL (1) DEFENDANTS TO ELECT WHETHER  
THEY WILL RAISE AN ADVICE-OF-COUNSEL DEFENSE; (2) DEFENDANTS TO  
PROVIDE COMPLETE ANSWERS TO INTERROGATORY NO. 2; AND (3)  
NONPARTY ATTORNEYS TO COMPLY WITH SUBPOENAS**

MOTION BY:

Plaintiff People of the State of New York by  
Eric T. Schneiderman, Attorney General for  
the State of New York

RELIEF SOUGHT:

An Order compelling (1) Defendants to elect whether they will raise an advice-of-counsel defense within 14 days of the Court's order or else the defense will be deemed waived; (2) Defendants to provide complete answers to Interrogatory No. 2 within 14 days of the Court's order; and (3) nonparty attorneys to comply with Plaintiffs' subpoenas seeking testimony and documents if and when Defendants elect to raise an advice-of-counsel defense.

WHEN RETURNABLE:

As provided for by the Local Rules or set by the Court

WHERE RETURNABLE:

Hon. H. Kenneth Schroeder, Jr.  
United States Magistrate Judge  
2 Niagara Square  
Buffalo, New York 14202

SUPPORTING PAPERS:

Memorandum of Law and Declaration of  
Christopher Boyd with attached exhibits

Pursuant to Local Rule 7(a)(1), notice is hereby given that Plaintiff intends to file reply papers.  
Pursuant to Local Rule 7(b) any opposing papers must be served within fourteen (14) unless  
otherwise ordered by the Court

Dated: December 15, 2017  
Buffalo, New York

Respectfully submitted,

/s/ Christopher L. Boyd

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